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17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA

19 NETFLIX, INC., a Delaware corporation,

20 Plaintiff,

21 v.

22 BLOCKBUSTER, INC., a Delaware
23 corporation, DOES 1-50,

24 Defendant.

25 AND RELATED COUNTERCLAIMS
26
27
28

Case No. C 06 2361 WHA (JCS)

**JOINT REPORT IN RESPONSE TO
COURT'S REQUEST RE ADR**

Complaint Filed: April 4, 2006

1 The parties provide the following report in response to Your Honor's May 17, 2007
2 Order entitled "Reminder Notice of Upcoming Trial and Final Pretrial Conference." The parties
3 have not engaged in any alternative dispute resolution to date. Blockbuster and Netflix jointly
4 suggest that the Court order the parties to participate in a settlement conference or mediation
5 before Judge Laporte.

6 Dated: May 31, 2007

BINGHAM MCCUTCHEN LLP

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9 By: /s/ Mary T. Huser
10 Mary T. Huser
11 Attorneys for Defendant and Counterclaimant,
BLOCKBUSTER INC.

12 Dated: May 31, 2007

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13
14 By: /s/ Eugene M. Paige
15 Eugene M. Paige
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NETFLIX, INC.